
Dog Control Hearings Panel

Te Komiti Whiriwhiri I Ngaa Take Kuri

OPEN MINUTES

Minutes of a meeting of the Dog Control Hearings Panel held in Committee Room 1 and Audio Visual Link, Municipal Building, Garden Place, Hamilton on Thursday 17 April 2025 at 9:30 am.

PRESENT

Chairperson Cr Emma Pike
Heamana

Members Cr Andrew Bydder
Cr Anna Casey-Cox
Cr Moko Tauariki

The Chair opened the meeting with a karakia.

1. Apologies – Tono aroha

Resolved: (Cr Pike/Cr Casey-Cox)

That the Dog Control Hearing Panel accepts the apologies for full absence from Cr Huata and for lateness from Cr Tauariki (inclement weather).

2. Confirmation of Agenda – Whakatau raarangi take

Resolved: (Cr Pike/Cr Bydder)

That the Dog Control Hearings Panel confirms the agenda., noting Mr van Wyk is unable to attend, but is happy to proceed with his hearing.

3. Declarations of Interest – Tauaakii whaipaaanga

No members of the Panel declared a Conflict of Interest.

4. Confirmation of the Dog Control Hearings Panel Open Minutes 14 November 2024

Resolved: (Cr Casey-Cox/Cr Bydder)

That the Dog Control Hearings Panel confirms the Open Minutes of the Dog Control Hearings Panel Meeting held on 14 November 2024 as a true and correct record.

5. Objection to Menacing Classification of Dog - van Wyk

The Governance and Assurance Unit Manager noted that staff had made numerous attempts to contact the objector and that Mr van Wyk had responded that he was unable to physically attend this hearing. In his absence, he had provided a written statement to his objection, which was circulated to Members. The Animal Education & Control Manager spoke to the report in particular the incident, inadequacies with containment fencing and the victim dog's injuries. Staff responded to questions from Members concerning the incident, categorisation and the objector's statement.

10. Resolution to Exclude the Public

Resolved: (Cr Bydder/Cr Casey-Cox)

Section 48, Local Government Official Information and Meetings Act 1987

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
5. Objection to Menacing Classification of Dog - van Wyk	<ul style="list-style-type: none">) Good reason to withhold information exists under) Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item 5.	To maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment	Section 7 (2) (f) (ii)
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The meeting moved into the public excluded session at 09:45 am.

During the public excluded session of the meeting the following was resolved to be released to the public via the minutes:

That the Dog Control Hearings Panel:

- a) receives the report;*
- b) confirms it has considered the mandatory matters specified under the Dog Control Act 1996, and other matters relevant to the objection;*
- c) notes that the Dog Control Hearings Panel in determining any objection can only either uphold or rescind the classification under the Dog Control Act 1996;*
- d) **upholds** the menacing classification; and*
- e) approves the release of the decision from Public Excluded via the open minutes of this meeting.*

The meeting returned to the open session at 9:52 am.

4. Objection to Disqualification from Dog Ownership - M Rite

The Chairperson has noted that the objector Ms Rite was not in attendance but had been contacted by staff and that a statement from her daughter was included in the agenda. The Animal Education & Control Manager spoke to the report in particular the history of the case and the numerous attempts by Animal Control Officers to provide an educational approach towards the objector.

10. Resolution to Exclude the Public

Resolved: (Cr Pike/Cr Bydder)

Section 48, Local Government Official Information and Meetings Act 1987

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
7. Objection to Disqualification from Dog Ownership - M Rite	<ul style="list-style-type: none">) Good reason to withhold) information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987 	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item 6.	To maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment	Section 7 (2) (f) (ii)
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The meeting moved into the public excluded session at 10.21 am.

During the public excluded session of the meeting the following was resolved to be released to the public via the minutes:

That the Dog Control Hearings Panel:

- a) receives the report;*
- b) confirms it has considered the mandatory matters specified under the Dog Control Act 1996, and other matters relevant to the objection;*
- c) notes under the Dog Control Act 1996 that the Dog Control Hearings Panel in determining any objection can only either:*
 - i. uphold the classification;*
 - ii. bring forward the date of termination of the classification; or*
 - iii. immediately terminate the disqualification;*

- d) *classifies the dog owner as disqualified until 27 October 2027 (being the date that is 5 years from the date of the third or final infringement offence in respect of which the person is disqualified) and notes the right of the dog owner to appeal to the District Court under section 27 of the Dog Control Act 1996; and*
- e) *approves the release of the decision from Public Excluded via the open minutes of this meeting.*

The meeting returned to the open session at 10.24 am.

The meeting was adjourned from 10:24 am to 10:35 am.

5. Objection to Menacing Classification of Dog – Ward

Ms Ward spoke to her statement, circulated to Members prior to the meeting, which addressed matters including the social aspects of off-leash exercise, her opinion of the evidence, and sought clarification of the classification process. Ms Ward responded questions from Members concerning breed classification, the categorisation matrix, fencing of public spaces and the incident.

The Animal Education & Control Manager then spoke to the report, the incident area, suitability of muzzles, and the incident. She responded to questions from Members concerning obligations of dog park users, training undertaken by the objector, perceived threat level of the dogs, and classification.

10. Resolution to Exclude the Public

Resolved: (Cr Pike/Cr Bydder)

Section 48, Local Government Official Information and Meetings Act 1987

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
8. Objection to Menacing Classification of Dog – F Ward	<ul style="list-style-type: none">) Good reason to withhold) information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item 8.	To maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment	Section 7 (2) (f) (ii)
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The meeting moved into the public excluded session at 11.02 am.

During the public excluded session of the meeting the following was resolved to be released to the public via the minutes:

That the Dog Control Hearings Panel:

- a) receives the report;*
- b) confirms it has considered the mandatory matters specified under the Dog Control Act 1996, and other matters relevant to the objection;*
- c) notes that the Dog Control Hearings Panel in determining any objection can only either uphold or rescind the classification under the Dog Control Act 1996;*
- d) **rescind** the menacing classification; and*
- e) approves the release of the decision from Public Excluded via the open minutes of this meeting.*

The meeting returned to the open session at 11:18 am.

The meeting was adjourned from 11:18 am to 11:32 am

During the above adjournment Cr Tauariki joined the meeting.

During the adjournment Cr Casey-Cox retired from the meeting.

6. Objection to Disqualification from Dog Ownership – Fourie

Ms Fourie spoke to her objection, the history of her case, recent self-taught training she had undertaken and remedies she had put in place to address containment issues. She responded to questions from Members concerning the incident.

The Animal Education & Control Manager spoke to the report in particular the history of the case in relation to Ms Fourie's probation and staff's opinion of the property improvements. Staff responded to questions from Members concerning the initial incident history, potential incident relapse, the objector's collar usage, dog training providers and the role of Council to support wellness.

10 Resolution to Exclude the Public

Resolved: (Cr Tauariki/Cr Bydder)

Section 48, Local Government Official Information and Meetings Act 1987

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of the Dog Control Hearings Panel Public Excluded Minutes 14 November 2024) Good reason to withhold) information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987	Section 48(1)(a)
9. Objection to Disqualification from)	

Dog Ownership – Fourie

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

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| Item C1. | to maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment | Section 7 (2) (f) (ii) |
| Item 9. | To maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment | Section 7 (2) (f) (ii) |

The meeting moved into the public excluded session at 12:15 pm

The meeting was declared closed at 12:31 pm